

### **REMARKS**

Claims 20-33 and 36-41 are pending. Claims 1-19, 34-35 and 42-43 were previously cancelled. In the present Amendment, Claims 36, 39 and 41 are amended for the reasons discussed below, Claim 38 is cancelled and Claims 44-67 are added, thereby leaving Claims 20-33, 37 and 40 unchanged.

Applicants gratefully acknowledge the Examiner's allowance of Claims 20-33 and the Examiner's indication that Claims 38 and 41 include allowable subject matter.

Allowable Claim 41 has been rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Accordingly, newly-independent Claim 41 is allowable. Claims 61-67 depend from Claim 41 and are allowable for these and other reasons.

### **35 U.S.C. § 112 Rejections**

Claim 38 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. As mentioned above, Applicants have Cancelled Claim 38, rendering this rejection moot.

### **35 U.S.C. § 102(b) Rejections**

Claims 36-37 and 39-40 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,607,023 ("Palm"). In addition, Claims 36 and 39 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,689,891 ("Bednar"). Reconsideration of the rejections is respectfully requested.

Claim 36 defines a power tool including a housing, a motor supported by the housing and having a drive shaft, an output member supported by the housing and adapted to support a tool element, and a drive mechanism supported by the housing and operable to drive the output member, the drive mechanism including a gear driven by the drive shaft for rotation about an axis and including a protrusion, a hub selectively driven by the gear for rotation about the axis, the hub being movable relative to the gear and including a hub protrusion, the gear protrusion drivingly engaging the hub protrusion, and structure positioned between the gear protrusion and

the hub protrusion, the structure selectively transmitting drive force from the gear to the hub and selectively allowing relative movement between the gear and the hub.

Palm does not illustrate, among other things, a gear driven by the drive shaft for rotation about an axis and including a protrusion, and a hub selectively driven by the gear for rotation about the axis, the hub being movable relative to the gear and including a hub protrusion, the gear protrusion drivingly engaging the hub protrusion, and structure positioned between the gear protrusion and the hub protrusion, the structure selectively transmitting drive force from the gear to the hub and selectively allowing relative movement between the gear and the hub. Rather, Palm discloses a tool 9 including an inner hub 710 including an outer cylindrical surface 712 and an outer hub 716 having an inner cylindrical surface 718 mounted on the outer surface 712 of the inner hub 710. The tool 9 of Palm also includes a plurality of circumferentially distributed apertures 720 extending through the interface of the inner hub 710 and the outer hub 716 and energy absorbing elements 722 supported in the apertures 720.

For these and other reasons, Palm does not illustrate all of the limitations of independent Claim 36.

Bednar also does not illustrate, among other things, a gear driven by the drive shaft for rotation about an axis and including a protrusion, and a hub selectively driven by the gear for rotation about the axis, the hub being movable relative to the gear and including a hub protrusion, the gear protrusion drivingly engaging the hub protrusion, and structure positioned between the gear protrusion and the hub protrusion, the structure selectively transmitting drive force from the gear to the hub and selectively allowing relative movement between the gear and the hub. Rather, Bednar discloses a reciprocating saw 9 including an interface between a driven gear 176 and a clutch driver 182 provided by a first clutch disk 188 interconnected with the driven gear 176 and a second clutch disk 190 interconnected with the clutch driver 182. The first clutch disk 188 includes a number of radially-outwardly projecting splines 192 that cooperate with corresponding axially-extending grooves 194 on the inner surface of the driven gear 176. A second clutch disk 190 includes a plurality of radially-inwardly projecting splines 196 that cooperate with corresponding axially-extending grooves 198 on the hub portion 184 of the clutch driver 182.

For these and other reasons, Bednar does not illustrate all of the limitations of independent Claim 36. Accordingly, Claim 36 is allowable. Claims 37 and 44-52 depend from independent Claim 36 and are allowable for the same and other reasons.

Claim 39 defines a reciprocating saw including a housing, a motor supported by the housing and having a drive shaft, a spindle supported by the housing and adapted to support a saw blade, and a drive mechanism supported by the housing and operable to drive the spindle, the drive mechanism including a gear driven by the drive shaft for rotation about an axis, a hub selectively driven by the gear for rotation about the axis, the hub being movable relative to the gear and including a drive member offset from the axis and connected to the output member to drivingly connect the hub to the output member, and structure to absorb impact positioned between the gear and the hub, the structure selectively transmitting drive force from the gear to the hub and allowing relative movement between the gear and the hub to absorb an impact on the spindle.

Palm does not illustrate, among other things, a hub selectively driven by a gear for rotation about an axis, the hub being movable relative to the gear and including a drive member offset from the axis and connected to the output member to drivingly connect the hub to the output member. Rather, Palm discloses a tool 9 including an inner hub 710 that is driven by an outer hub 716 about an axis. The inner hub 710 drives a shaft 226 about the axis.

For these and other reasons, Palm does not illustrate all of the limitations of independent Claim 39.

Bednar also does not illustrate, among other things, a hub selectively driven by a gear for rotation about an axis, the hub being movable relative to the gear and including a drive member offset from the axis and connected to the output member to drivingly connect the hub to the output member. Rather, Bednar discloses a reciprocating saw 9 including a clutch driver 182 having a hub portion 184 that is driven by the driven gear 176 about an axis. The clutch driver 182 drives the wobble shaft 186 about the axis.

In addition, Bednar does not illustrate structure to absorb impact positioned between the gear and the hub, and allowing relative movement between the gear and the hub to absorb an impact on the spindle. Rather, the reciprocating saw 9 of Bednar includes a mechanism 170 that provides relative *slippage* between a drive pinion 170 and a jackshaft 174. Column 5, lines 25-27. Moreover, the mechanism 170 of Bednar includes a first clutch disk made of bronze and a

second clutch disk 190 formed of steel. Col. 5, lines 41-47. The use of these relatively rigid materials facilitates the slippage required of the mechanism 170, while preventing any absorption of impact forces.

For these and other reasons, Bednar does not illustrate all of the limitations of independent Claim 39.

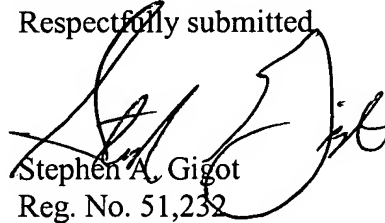
Accordingly, Claim 39 is allowable. Dependent Claims 40 and 53-60 depend from independent Claim 39 and are allowable for the same and other reasons.

### **CONCLUSION**

In view of the foregoing, Applicants respectfully request entry of the above amendments and allowance of Claims 36-37, 39-41 and 44-67, in addition to previously allowed Claims 20-33.

The undersigned is available for telephone consultation during normal business hours.

Respectfully submitted,



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